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REMARKS

Claims 1 and 17 have been amended, no claims have been added and no claims have been cancelled. No new matter has been added. Claims 1-27 are presently pending.

Summary of the Claimed Invention

The claimed invention describes a process of dynamically locating and identifying network attached devices that are executing a common protocol with a remote control device interfaced with the network. In one implementation the network is located in a motor vehicle. Once identified, the common protocol is used to dynamically retrieve command codes for the network attached device. A user operating the remote control device is thus able to control the identified network devices using the dynamically retrieved codes. The dynamic location and identification of the additional network device followed by the dynamic retrieval of the command codes represents an improvement over the prior art which required the remote control device to be pre-configured with the location and command codes for the network attached device.

Summary of Claim Amendments

Applicant has amended claims 1 and 17 to correct typographical errors noted by the Examiner.

Claim Rejections Pursuant to 35 U.S.C. §102(e)

The Examiner in the Office Action of October 3, 2003 rejected claims 1, 3-4, 10 and 17 and 21 under 35 U.S.C. §102(e) as being anticipated by Wu et al (United States Patent No.: 6, 263,344, hereafter "Wu"). For the reasons set forth below, Applicant respectfully traverses these objections.

Wu discusses a method and apparatus for processing hypertext objects on optical disc players. The system of Wu discusses decoding certain data from a video compact disk on a

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video compact disk player. A minimally featured and powered machine (i.e.: a 'thin client") processes codes written in an object specifying language such as programs and data files written in HTML and JAVA. The system generates processing codes in an intermediate language from the object specifying language. The codes in the intermediate language are decoded and processed to generate a screen of information for the user. The original data is retrieved from a Video Compact Disk (VCD) that is inserted into a VCD reader. If the disk contains modification codes the data is sent to a dedicated memory area for additional processing. Otherwise, in the absence of modification codes, the disk is read normally. Wu discusses the use of the system in conjunction with a remote control. There is no discussion of dynamically locating and identifying an additional device coupled to a network.

Argument

Wu fails to anticipate claims 1, 3-4, 10 and 17 and 21 because it lacks all of the elements of those claims. Specifically, Wu fails to disclose the limitation of "dynamically locating and identifying said at least one additional device using said remote control device." The limitation is the second listed step in independent claim 1 and 17. Wu also fails to disclose the limitation of "a remote controller having ...a processor for providing a protocol to dynamically locate, and identify the devices interfaced with the network..." as required by independent claim 21. Claims 3-4 and 10 are dependent upon claim 1 and include all of its limitations.

In support of the rejection the Examiner cited col. 10, line 66 to col. 11, line 20, figure 10 and the abstract (see Office Action page 3) as disclosing the step of "dynamically locating and identifying said at least one additional device using said remote control". For claim 21 the Examiner suggested that the limitation of "a remote controller having...a processor for providing a protocol to dynamically locate and identify the devices interfaced with the network..." (see Office Action page 4) was disclosed in the abstract, col. 1 line 65 to col. 2 line 3, col. 10 line 66 to col. 11 line 20, figure 2 and figure 10. Applicant respectfully suggests that the Examiner's reliance on these sections of Wu is misplaced for the reasons set forth below and that they do not support the pending rejections.

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The abstract in Wu discusses the retrieving, decoding and processing of codes in an intermediate language generated from object specifying languages such as HTML and JAVA. The abstract indicates that the codes in the intermediate language are processed on a minimally featured and minimally powered machine (i.e. "a thin client") and used to generate a screen of information with possible selections for a user. The abstract further discusses retrieving a file corresponding to a selection made by a user and the fact that codes in a scripting language are provided to help with the processing of commands. There is no discussion of the dynamic location and identification of an electronic device.

Col. 10, line 66 to col. 11, line 20 in Wu contains part of the discussion of Figure 10. Figure 10 is the explanation for the operative steps of step 2020 of Figure 9 (see col. 10, lines 50-51). Figure 9 is a flow chart of the steps in operating a thin client platform for processing the data files and data objects (see col. 10, lines 23-25). More particularly, step 2020 (the step which is explained further in the Examiner-cited Figure 10) refers to the displaying of a screen of information in accordance with the content of the file which contains code in the intermediate language (see col. 10, lines 43-45). The cited section col. 10, line 66 to col. 11 line 20 discusses the processing of the user selection (in response to the displayed screen of information) received from a remote control and the subsequent display of information to the user. The discussion does not disclose the dynamic location and identification of an electronic device on a network. Accordingly, since none of the rejections to claims 1 and 17 disclose the required limitation of a dynamic location and identification of an electronic device on a network, Applicant requests the rejections directed to claims 1 and 17 and dependent claims 3-4 and 10 be withdrawn.

In addition to the above-discussed sections of the Wu reference, the Examiner also cited col. 1 line 65 to col. 2 line 3, and figure 2 in Wu as supporting the rejection of claim 21. Col. 1 line 65 to col. 2 line 3 reads verbatim:

It is therefore an object of the present invention to provide a system having minimal computing power, peripherals and resources and yet capable of efficiently processing codes written in an object specifying language such as programs and data files written in HTML and JAVA.

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There is no disclosure of "a remote controller having...a processor for providing a protocol to
dynamically locate and identify the devices interfaced with the network" as required by
independent claim 21 in the cited section.

Figure 2 in Wu discusses the physical components of a thin client device appropriate to
the system of Wu. The accompanying description includes a list of possible components found
in the thin client system. There is no disclosure of "a remote controller having...a processor for
providing a protocol to dynamically locate and identify the devices interfaced with the network"
as required by independent claim 21 in the cited section. Accordingly, since none of the
rejections to claims 21 disclose the required limitation of "a remote controller having...a
processor for providing a protocol to dynamically locate and identify the devices interfaced with
the network", Applicant requests the rejection directed to claim 21 be withdrawn.

Claim Rejections Pursuant to 35 U.S.C. §103(a)

Claims 2, 5-9, 11-13 and 18 were rejected as being unpatentable for obviousness based
on Wu in view of Humpleman (United States Patent No. 6, 466, 971, hereafter "Humpleman").
For the reasons set forth below, Applicant respectfully traverses these rejections.

Summary of Humpleman

Humpleman relates to a method and system for command and control among multiple
devices operating on a network. Humpleman discusses a process whereby a first and second
device are connected to the network and the second device stores application interface
description data in a structured format. The application interface description data is used for
commanding and controlling the second device with other network devices. Humpleman further
discusses application interface description data provided to the first device over the network and
control and command data sent from the first device to the second device over the network
utilizing the application interface description data to control the operation of the second device.
However, Humpleman does not disclose, teach, or suggest the dynamic location, and
identification of at least one additional device by a remote control device interfaced with the
network that is executing a common protocol with the remote control device.

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Argument

The combination of Wu and Humpleman fails to disclose, teach or suggest all of the elements of the rejected claims. As noted above, independent claim 1, upon which claims 2, 5-9 and 11-13 are dependent, and independent claim 17, upon which claim 18 is dependent both include the limitation of "dynamically locating and identifying said at least one additional device using said remote control device". Applicant has pointed out above how the limitation is missing from Wu. Similarly, the limitation is also not disclosed, taught or suggested by Humpleman. Applicant also notes that the Examiner has tacitly admitted that the limitation is not found in Humpleman since the Examiner has switched the basis for rejecting claims 1 and 17 to Wu in response to Applicant's arguments in the previous Amendment filed with the RCE in which Applicant argued the limitation was not found in Humpleman. Accordingly, since the combination of references fails to disclose, teach or suggest all of the elements of the underlying independent claims, Applicant respectfully requests the rejections of claims 2, 5-9, 11-13 and 18 be withdrawn and the claims allowed.

Claims 14, 19 and 22-27 were rejected as being unpatentable for obviousness based on Wu in view of Tagliabo et al(European Patent Number 0549541, hereafter "Tagliabo"). For the reasons set forth below, Applicant respectfully traverses these rejections.

Summary of Tagliabo

Tagliabo discusses a motor vehicle-based electrical connection network connected to the inputs of multiple devices and apparatus. Tagliabo discusses the use of a portable remote control device used to control devices and apparatus on the network. Tagliabo does not disclose, teach or suggest the dynamic location and identification of network-based devices using a remote control.

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Argument

The combination of Wu and Tagliabo fails to disclose, teach or suggest all of the elements of the rejected claims. Amended independent claim 14, upon which claim 15 is dependent requires that the additional network device running the common protocol is dynamically located and identified. As pointed out above both Humpleman and Tagliabo lack this element of the claimed invention. Claim 19 is dependant upon claim 17 which was discussed above and also includes the dynamic location and identification of an electronic device limitation. Claims 22-27 are dependent upon independent claim 21. Claim 21 includes the limitation "a remote controller having...a processor for providing a protocol to dynamically locate and identify the devices interfaced with the network". As previously noted, Wu lacks these limitations. Since Tagliabo also fails to disclose, teach or suggest the missing limitations, Applicant respectfully requests the rejections of claim 14-15 and 19 be withdrawn.

Claim 15 was rejected as being unpatentable for obviousness based on Wu in view of Tagliabo in further view of Humpleman. For the reasons set forth below, Applicant respectfully traverses these rejections.

Argument

The combination of Wu, Tagliabo and Humpleman fails to disclose, teach or suggest all of the elements of the rejected claim. Claim 15 is dependent upon independent claim 14. Claim 14 requires that the additional network device running the common protocol is dynamically located and identified. As discussed above, all three of the cited references lack this limitation. Accordingly, Applicant respectfully requests the rejection be withdrawn.

Claim 16 was rejected as being unpatentable for obviousness based on Wu in view of Tagliabo in further view of Schneider et al (United States Patent Number 6263344, hereafter "Schneider"). For the reasons set forth below, Applicant respectfully traverses this rejection.

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Summary of Schneider

Schneider was cited as disclosing a remote control device with a touch pad screen. Schneider does not disclose, teach or suggest the dynamic location and identification of network-based devices using a remote control.

Argument

The combination of Wu, Tagliabo and Schneider fails to disclose, teach or suggest all of the elements of the rejected claim. Claim 16 is dependent upon independent claim 14. Claim 14 requires that the additional network device running the common protocol is dynamically located and identified. As discussed above, all three of the cited references lack this limitation. Accordingly, Applicant respectfully requests the rejection be withdrawn.

Claim 20 was rejected as being unpatentable for obviousness based on Wu in view of Schneider. For the reasons set forth below, Applicant respectfully traverses these rejections.

Argument

The combination of Wu, Tagliabo and Humpleman fails to disclose, teach or suggest all of the elements of the rejected claim. Claim 20 is dependent upon independent claim 17. Claim 17 requires that the additional network device running the common protocol is dynamically located and identified. As discussed above, both of the cited references lack this limitation. Accordingly, Applicant respectfully requests the rejection be withdrawn.

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Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SMQ-036RCE from which the undersigned is authorized to draw.

Dated: June 30, 2004   Respectfully submitted,

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